

# EXHIBIT 4

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

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SIRI DIAZ, CAROLYN SIEGEL, TALIA BUMB,  
BLERTA VIKKI, DANIELLE OWIMRIN, on  
behalf of themselves and all others  
similarly situated,

Plaintiffs,

- against -

SCORES HOLDING COMPANY, INC., GO WEST  
ENTERTAINMENT, INC., a/k/a SCORES WEST  
SIDE; and SCORES ENTERTAINMENT, INC.,  
a/k/a SCORES EAST SIDE,

Defendants.

Case No. 07 Civ. 8718 (RMB)

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200 Park Avenue  
New York, New York

January 24, 2008  
4:05 p.m.

Deposition of TALIA BUMB, before  
Marlene Lee, CSR, CRR, a Notary Public of the  
State of New York.

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1 A P P E A R A N C E S:

2  
3 OUTTEN & GOLDEN LLP

4 Attorneys for the Witness and Plaintiffs

5 Three Park Avenue  
6 New York, New York 10016

7 BY: TAMMY MARZIGLIANO, ESQ.

212-245-1000 (Telephone)

tm@outtengolden.net (E-mail)

8 212-977-4005 (Fax)

9  
10  
11 GREENBERG TRAURIG LLP

12 Attorneys for the Defendants

13 200 Park Avenue  
14 New York, New York 10166

15 BY: NEIL A. CAPOBIANCO, ESQ.

212-801-9302 (Telephone)

capobiancon@gtlaw.com (E-mail)

16 212-805-5501 (Fax)

1 BUMB

2 Q. Which was during training?

3 A. Yes.

4 Q. Tell me about -- tell me what  
5 happened when you got to the club on that  
6 Sunday for training. What time did you get  
7 there?

8 A. I don't remember what time I came  
9 in.

10 Q. What happened once you got there?

11 A. Once I got there, I met with  
12 Anelise.

13 Q. Were you already in your uniform?

14 A. No. I changed into my uniform when  
15 I got there.

16 Q. Where did you get the uniform from?

17 A. From Alberto.

18 Q. When did Alberto give you the  
19 uniform?

20 A. He gave it to me my first day of  
21 training.

22 Q. On that Sunday?

23 A. Yeah.

24 Q. So did you first speak to Alberto  
25 on that Sunday? Or did you first speak to

1 BUMB

2 Anelise?

3 A. I don't recall who I spoke with  
4 first.

5 Q. But at some point Alberto gave you  
6 the uniform.

7 A. Yes.

8 Q. Did you have any conversation at  
9 the time he gave you the uniform?

10 A. He said it will be taken out of my  
11 check.

12 Q. He said that?

13 A. Yeah.

14 Q. Did you ever notice if it was taken  
15 out of your check?

16 A. I never -- I never looked at the --  
17 yeah. I never checked to see, I mean.

18 Q. Did he say how much would be taken  
19 out of your check?

20 A. He said it would be \$50 out of the  
21 first check and \$50 out of the second check.

22 Q. Did you ever have any response to  
23 that?

24 A. What do you mean? What do you mean  
25 by that?

1 BUMB

2 Q. When he told you that you'd have  
3 \$50 taken out of your first check and \$50 taken  
4 out of your second check for the uniform -- is  
5 that what HE told you?

6 A. Yes.

7 Q. -- did you respond in any way to  
8 that statement?

9 A. No. Not that I recall.

10 Q. But you never looked at your  
11 paycheck to see if \$50 was ever taken out of  
12 it?

13 A. No.

14 Q. Did you have any other conversation  
15 with Alberto on that Sunday night when you  
16 first went for training?

17 A. I'm sure I did.

18 Q. Anything that you remember?

19 A. Not anything I remember.

20 Q. But you also said you spoke to  
21 Anelise that night.

22 A. Yes.

23 Q. Tell me what happened when you  
24 spoke to Anelise.

25 A. She was training me, so she was

1 BUMB

2 Q. What area of the club were you  
3 working in?

4 A. The main floor.

5 Q. Where is the main floor in relation  
6 to the bar?

7 A. It's in front of the bar, like down  
8 the steps in front of the bar.

9 Q. Right by the stage?

10 A. Yeah.

11 Q. What were you told at the end of  
12 training? Were you told to come back on  
13 another day or to report for work?

14 A. Yeah. They told me to come back  
15 another day.

16 Q. And when was that?

17 A. I can't remember what day that was.

18 Q. How much longer after that Sunday  
19 was it?

20 A. Maybe a day or two.

21 Q. And what was your purpose for  
22 coming back that subsequent day?

23 A. Another day of training.

24 Q. With someone else?

25 A. I can't remember who it was with.

1 BUMB

2 Q. But it was with someone else?

3 A. It could have been Anelise again,  
4 but I'm not sure. It could have been someone  
5 else.

6 Q. And did you go back to Go West on  
7 that second day of training?

8 A. Yes.

9 Q. And what time did you get there?

10 A. I can't remember.

11 Q. How long did you stay?

12 A. I can't remember.

13 Q. Did you learn anything on the  
14 second day of training that you didn't learn  
15 the first day of training?

16 A. I may have.

17 Q. Do you recall what?

18 A. No.

19 Q. Do you recall speaking to anyone on  
20 that second day of training?

21 A. Yeah. I spoke to people. I just  
22 don't remember specifically who.

23 Q. Did you discuss any work-related  
24 issues?

25 A. I don't remember anything



1 BUMB

2 specifically.

3 Q. Did you -- was Alberto there on  
4 that second day?

5 A. I can't remember.

6 Q. How -- what happened at the end of  
7 the day? At the end of your training on that  
8 day?

9 A. At the end of my training on that  
10 day? Oh, yeah. Alberto was there, because  
11 that's the day they told me I was, like,  
12 officially -- could officially start. I was  
13 done with training, and my next day -- the next  
14 time I worked would be a regular work day.  
15 Yeah.

16 Q. So he told you, you were done with  
17 training?

18 A. Yes.

19 Q. Do you know how he reached that  
20 conclusion?

21 A. No.

22 Q. Did he tell you, "You know enough?"  
23 or "you're fully trained"?

24 A. I don't really recall the  
25 conversation.

1 BUMB

2 Q. Do you remember any of the  
3 bartenders who you personally handed it to?

4 A. I remember one bartender named  
5 Rose.

6 Q. Rose?

7 A. Yeah.

8 Q. Anyone else?

9 A. That's the only name I remember.

10 Q. And what about the barbacks? Did  
11 you physically hand money to the barbacks as  
12 well?

13 A. I don't recall.

14 Q. Do you remember the names of any of  
15 the barbacks?

16 A. No, I don't. I know I gave the  
17 money for the barbacks to someone. I just  
18 can't remember if we gave it to a manager to  
19 give to them, or directly to the barback. I  
20 know I gave money to them. I just can't  
21 remember who I gave it to directly.

22 Q. Was anybody else involved in this  
23 tip-sharing?

24 A. I only recall the waitresses,  
25 barbacks, bartenders, and the managers being

1 BUMB

2 there.

3 Q. Did the manager get a share of the  
4 tips?

5 A. Not that I know of.

6 Q. Did this process happen on every  
7 day that you worked there?

8 A. Yes.

9 Q. And did you work till cash-out on  
10 every day that you worked?

11 A. Yes, I did.

12 Q. And --

13 A. Except the training days.

14 Q. Right. The training days you  
15 didn't work that late.

16 A. Correct.

17 Q. But the days starting after  
18 training, you worked all the way till cash-out.

19 A. Yes.

20 Q. So after the cash-out, after you've  
21 given the monies to the bartenders and  
22 barbacks, then what happens?

23 A. Then we go change into our street  
24 clothes and go home.

25 Q. When do you clock out?

1 BUMB

2 A. After we -- well, I would always  
3 forget to clock out. Honestly, I don't know.

4 Q. Do you know when you were supposed  
5 to clock out?

6 A. No.

7 Q. So you went directly from counting  
8 your money, telling the manager what your --  
9 how much tips you earned that evening, handing  
10 the shares to the bartender and the barbacks,  
11 to changing your clothes --

12 A. Yes.

13 Q. --and leaving?

14 A. Yes.

15 Q. And that's the process you followed  
16 every evening that you worked?

17 A. Yeah.

18 Q. Do you remember the names of any of  
19 the managers that oversaw or sat there when you  
20 were counting your tips?

21 A. I only remember Alberto.

22 Q. How many days in total did you  
23 work, other than training?

24 A. Total time I was there?

25 Q. Yeah.

1 BUMB

2 A. I'd say approximately --  
3 approximately around 10 days or something.

4 Q. Tell me what the work outfit looked  
5 like.

6 A. It was a black corsette and a short  
7 black skirt.

8 Q. Did you ever wear it to or from  
9 work?

10 A. No.

11 Q. Did you ever wear it outside of  
12 work?

13 A. No.

14 Q. Did you ever wear any outfit like  
15 it outside of work?

16 A. No.

17 Q. Have you ever seen any other woman  
18 wearing an outfit like it, like out for an  
19 evening?

20 A. No.

21 Q. Do you know what time you were  
22 scheduled to work on any of your days of work?

23 A. I know for happy hour I had to be  
24 there at 4:00. And the other nights, either  
25 seven or eight o'clock.

1 BUMB

2 Q. When you say "seven or eight," you  
3 don't remember? Or it varied?

4 A. It varied.

5 Q. When you worked happy hour, what  
6 time did you leave?

7 A. I'd say around 4:30 in the morning.

8 Q. And what was happy hour?

9 A. Where they open the club early so  
10 people could come after work and have drinks.

11 Q. But other than being open earlier,  
12 did it vary -- did what was happening in the  
13 club or your job vary at all from other nights  
14 when it wasn't happy hour?

15 A. No.

16 Q. Basically it was your same job.  
17 You just had to report to work earlier?

18 A. Yes.

19 Q. Did you arrive at work on time?

20 A. Yes.

21 Q. Did your manager -- did anyone ever  
22 speak to you about your arrival time at work?

23 A. No.

24 Q. Did you ever arrive to work in your  
25 work outfit?

1 BUMB

2 A. I understand it's a breakdown of my  
3 pay and a breakdown of the various tabs and  
4 things I pay out.

5 Q. What do you understand about your  
6 pay was calculated?

7 A. Like, your hourly rate. It looks  
8 like they accounted for my cash tips and my  
9 credit card tips.

10 Q. How did you receive your cash tips?

11 A. I got it at the end of the night.

12 Q. So after you shared tips with the  
13 bartender and the barbacks, you took home cash  
14 every night you worked?

15 A. Yes.

16 Q. And the amount of those cash tips  
17 was recorded; right?

18 A. Yes. Yes.

19 Q. And then you also received tips by  
20 credit card?

21 A. Yes. We received credit card tips.  
22 But not that night. They were put into the  
23 check.

24 Q. Right. But did you ever -- do you  
25 know whether the amount of tips in credit card

1 BUMB

2 tips shown on this paycheck is the accurate  
3 amount of what you earned?

4 A. I don't know.

5 Q. Let's look at the line that says  
6 "Regular."

7 A. Uh-huh.

8 Q. What do you understand by that  
9 line?

10 A. "Regular." It looks like that's  
11 the hourly -- hourly wage.

12 Q. And what did you make per hour?

13 A. It says there, Scores, 4.60.

14 Q. 4.60 an hour?

15 A. Yes.

16 Q. And you understood that by reading  
17 this pay stub?

18 A. Yes.

19 Q. What is the next entry?

20 A. Hours per unit. Stated number of  
21 hours that were accounted for.

22 Q. So what's the number of hours  
23 that's written?

24 (Brief interruption.)

25 (Discussion off the record.)



1 BUMB

2 Q. Do you understand the question?

3 A. Yes. 57.73 hours.

4 Q. And then under the heading marked  
5 "Current," what's the number that's there?

6 A. 265.56 hours. I don't think I'm  
7 reading that right, though.

8 Hours per unit.

9 Q. Do you see where it says "Total"  
10 down at the bottom?

11 A. Yes.

12 Q. It says 871.29?

13 A. Yes.

14 Q. Do you understand what that is?

15 A. Now I think I don't understand what  
16 this is, because I don't think I worked that  
17 many hours.

18 Q. If you received 4.60 per hour and  
19 you worked 57.73 hours, what's in that next  
20 column?

21 A. Oh. That's the amount. I  
22 understand. Yeah. That's how many hours I  
23 worked. That's how much money was accumulated  
24 from the hours and pay rate.

25 Q. So you made \$265.56 for working